IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Crl.Rev.Pet.No. 865 of 1998

AGAINST THE ORDER DATED 27/03/1998 IN C.M.P. NO. 545/1998 OF JUDL. I CLASS MAGISTRATE-II, PATHANAMTHITTA.
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REVISION PETITIONER/PETITIONER/ACCUSED IN CRIME NO. 297/97:

N. KAMALASANAN, S/O. NARAYANAN, OLIYIL HOUSE, THENGUMKAVU (P.O), MALLASSERY (VIA), VETTOOR MURI, PRAMADOM VILLAGE, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.K.RADHAKRISHNAN (P).

RESPONDENTS/RESPONDENTS/COMPLAINANTS:
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1. **STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

2. **P.N. AMBILI, D/O. NANU, SAJI BHAVAN, VAYYATHUPUZHA (P.O), CHITTAR-SEETHATHODU VILLAGE, RANNI TALUK, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.C.B.SREEKUMAR,
PUBLIC PROSECUTOR SRI. K.C. SANTHOSH KUMAR.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 16/07/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY, J.

Crl.R.P.No.865 OF 1998

Dated 16th July, 2007

ORDER

Two claimants approached the Magistrate's Court for getting custody of a Jeep bearing registration No.KL-03/C 6701 which was involved in Crime No.297/1997 of Konni Police Station. Interim custody was given to the second respondent who is none other than wife of the petitioner on sufficient security and putting conditions for safety of the vehicle. It is submitted that a refer report was filed in the C.C. that the vehicle was not involved in any theft case and, therefore, the revision petitioner again filed a petition under Section 451Cr.P.C and that was also dismissed as earlier the matter was considered. I am of the opinion that since the impugned order is only regarding the interim custody, the petitioner shall approach the Magistrate under Sections 454 and 456 of Cr.P.C. for final disposal of the petition and the interim order will not be a bar in that proceedings.

J.B.KOSHY
Judge

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